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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

In re application of :  
Robert H. Reid et al : DECISION  
Serial No. 08/242,960 : ON  
Filed: May 16, 1994 : PETITION  
For: MICROPARTICLES CARRIERS OF MAXIMAL :  
UPTAKE CAPACITY BY BOTH M CELLS :  
AND NON-M CELLS :  
: #13

This is a decision on the PETITION FOR ACCEPTANCE OF COLOR DRAWINGS UNDER 37 C.F.R. 1.17(h), filed May 3, 1996, to permit entry of color photographs of Figures 12-19 since the required fee under 37 CFR 1.17(h) has been paid.

The instant petition has been accepted under 37 CFR 1.84(b) (2) which states that color photographs will be accepted if the conditions of 37 CFR 1.84(a) (2) - COLOR DRAWINGS - are met. Those conditions are that 1) 3 sets of the photographs are filed, 2) the specification must contain the following language (by amendment):

"The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

3) the appropriate fee is paid under 37 CFR 1.17(h), and 4) an explanation is provided stating why color drawings (photographs) are necessary.

A review of the application record reveals that the petitioner's request can not be granted at this time since only the required fee has been paid and only one set of photographs has been provided. Upon providing two additional sets of photographs (Figures 12-19), an amendment to the specification adding the language specified above, and an explanation of why the photographs are necessary, the petition shall be granted.

The petition is DENIED.

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